

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, June 10, 2019

[Senate Bill 543](#) (Killion) would provide a rate increase for the river pilots who navigate trade vessels along the Delaware River and its navigable tributaries. The rate adjustments would represent a one percent increase in 2020, a one percent increase in 2021 and a one percent increase in 2022. The ship communication charge for vessels transiting the Delaware River would also increase from \$235.00 to \$265.00. **Passed: 50-0.**

[Senate Bill 695](#) (Brooks) would amend the Human Services Code to extend the sunset date of the Nursing Facility Budget Adjustment Factor, the Nursing Facility Assessment, the Intermediate Care Facilities for Persons with an Intellectual Disability Assessment and the Philadelphia Hospital Assessment until 2022. **Passed: 50-0.**

[Senate Bill 703](#) (Scarnati) would amend Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes to increase the number of members of the Joint Committee on Documents required to constitute a quorum from four members to a majority of the eleven members. The legislation would also clarify that if the Joint Committee determines that a document should be promulgated as a regulation, and orders the agency to promulgate the document as a regulation, the Committee could extend the promulgation deadline for up to 180 days if it determines that the agency is making a good faith effort to promulgate the regulation in accordance with the statutory provisions outlined in the legislation. No more than two extensions could be made. Regardless of extensions, the promulgation deadline could not extend beyond 18 months of the date of the original order. **Passed: 50-0.**

[Senate Resolution 154](#) (Bartolotta) recognizes the month of June 2019 as “Reentry Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 155](#) (Hutchinson) celebrates the 30th anniversary of the Appalachian Region Independent Power Producers Association and designates the week of June 10 through 17, 2019 as “ARIPPA – 30 Years of Producing Environmentally Beneficial Alternative Energy – Recognition Week” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 156](#) (Killion) designates the week of July 8 through 14, 2019 as “Juror Appreciation Week” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 157](#) (Killion) designates July 31, 2019 as “Heatstroke Prevention Day” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 158](#) (Haywood) recognizes the historical importance of the 15th Amendment to the Constitution of the United States and encourages the establishment of a monument upon the grounds of the Pennsylvania State Capitol Complex. **Adopted by Voice Vote.**

Tuesday, June 11, 2019

[Senate Bill 621](#) (Regan) would amend the Public School Code to clarify provisions related to school police officers and school resource officers. Among other provisions, the bill would:

- Require a judge, at the request of a school entity or nonpublic school, to grant a school police officer the authority to carry a firearm if the officer satisfies certain requirements. Officers would have to successfully complete the Basic School Resource Officer Course of Instruction offered by the National Association of School Resource Officers or an equivalent course of instruction. An officer who is currently employed or contracted by a school entity or nonpublic school would have to complete the instruction within six months of the effective date of the bill;
- Permit school entities and nonpublic schools to contract with third-party vendors in addition to independent contractors to provide school police officer and security guard services. Independent contractors or individuals provided through a third-party vendor as school police officers or school security guards would have to complete certain training as outlined in the bill. If working for a school entity, these individuals would be treated as employees of a local agency. If working for a nonpublic school, they would have to be insured for any liability arising from the performance of their duties;
- Require school resource officers and school security guards to complete certain training as listed in the bill. Current school resource officers and security guards would have six months from the effective date of the bill to complete the training;
- Permit a school entity or nonpublic school to employ or contract with an independent contractor or a third-party vendor for an armed security guard if certain conditions outlined in the bill are met;
- Provide training exemptions for active law enforcement officers and retired law enforcement officers who are school security guards;
- Direct the Pennsylvania Commission on Crime and Delinquency to perform certain duties listed in the bill, including submitting an annual report to the General Assembly on school security; and
- Clarify that Section 1316-C provides the exclusive means for a school entity or nonpublic school to authorize school security personnel to possess a firearm on school premises.

Passed: 32-17.

[Senate Bill 701](#) (Browne) would authorize the Department of General Services (DGS), with the approval of the Governor, to grant and convey approximately 195.167 acres of land, known as the former Allentown State Hospital, in the City of Allentown and the City of Bethlehem, Lehigh County. The conveyance would occur through a competitive solicitation for proposal process to evaluate and select a buyer based upon best value and return on investment. A competitive solicitation committee would be established to review proposals and recommend a buyer. The

committee would be composed of the Secretary of DGS, the Senate member in whose district the majority of the property is located, the House member in whose district the majority of the property is located, and an official representative of the municipality in which the majority of the property is located. Prior to the competitive solicitation process, DGS would be authorized and directed to demolish all buildings and structures located on the property, with the exception of a Commonwealth-owned air monitoring station. In order to undertake the demolition, DGS would be required to enter into a design/build contract through the competitive sealed proposal method of procurement. Demolition would be authorized notwithstanding any applicable local ordinances. No portion of the property could be used as a licensed gaming facility or it would revert to the Commonwealth. Proceeds from the sale would be deposited into the General Fund. In order to effectuate the conveyance and demolition, Section 1 of Act 82 of 2017, which authorized DGS to convey the property to TCA Properties, L.P., would be repealed.

Passed: 49-0.

House Bill 800 (Turzai) would amend the Public School Code to make changes to the Educational Improvement Tax Credit (EITC) and Opportunity Scholarship Tax Credit (OSTC) programs. Under the EITC program, the definitions of educational improvement organization, pre-kindergarten scholarship organization, and scholarship organization would be adjusted to increase the amount of each organization's cash receipts that must be contributed to scholarships from 80 percent to 90 percent. The same change would be made to the definition of opportunity scholarship organization within the OSTC program. The measure would also expand eligibility for the programs to include a student who received a scholarship or opportunity scholarship in any prior year. An additional change would increase the maximum household income for a student in either program from \$85,000 to \$95,000. These changes would apply retroactively to January 1, 2015. The legislation would also increase the tax credits available under the EITC program for scholarship organizations to \$210 million for 2019-20 and thereafter and add an automatic increase for the total tax credits available. The Department of Community and Economic Development would be required to increase annually the dollar amount available for scholarship organizations by 10 percent if more than 90 percent of the total aggregate amount of the tax credits were used in the prior fiscal year and the General Assembly had not otherwise enacted an increase for that year. **Passed: 28-21.**

Wednesday, June 12, 2019

Senate Bill 25 (Bartolotta) would amend the Professional Nursing Law to provide for advanced practice registered nurse-certified nurse practitioners (APRN-CNP). An advanced practice registered nurse-certified nurse practitioner would be defined as a registered nurse licensed in the Commonwealth to practice independently in a population focus area in which the registered nurse is certified by a board-recognized national certification program.

The bill would provide that a registered nurse who holds current board certification, on the effective date of the act, as a certified registered nurse practitioner in a particular population focus area would automatically be deemed to be licensed as an advanced practice registered nurse-certified nurse practitioner in that population focus. In order to qualify for an initial license as an advanced practice registered nurse-certified nurse practitioner, a person would have to: 1) hold a current license in the Commonwealth as a registered nurse; 2) be a graduate of an

accredited, board-approved master's or post-master's nurse practitioner or doctorate in nursing program; and 3) hold current certification as an advanced practice registered nurse-certified nurse practitioner from a board-recognized national certification program which required passing a national examination in a population focus area in which the nurse is seeking licensure by the board.

As a condition for biennial license renewal, a nurse would have to do all of the following: 1) maintain a current license in this Commonwealth as a registered nurse; 2) maintain current certification; and 3) complete at least 30 hours of board-approved continuing education. The board would be required to establish a procedure by which a license could be amended prior to the renewal date in order to authorize a nurse to practice in a different clinical specialty or population focus.

An APRN-CNP could form a professional corporation with other registered nurses and/or other health care practitioners who treat human ailments and conditions and are licensed to provide health care services in this Commonwealth without receiving a referral or supervision from another health care practitioner. An advanced practice registered nurse-certified nurse practitioner who has engaged in the practice of professional nursing in collaboration with a physician for a period of not less than three years and not less than 3,600 hours in accordance with a collaborative or written agreement would not be subject to the requirement that the individual act in collaboration with a physician or in accordance with a collaborative or written agreement with a physician.

An APRN-CNP would be entitled to practice as a licensed independent practitioner within the scope of practice of the particular clinical specialty area or population focus in which the nurse is licensed by the board and would be entitled to be recognized as a primary care provider under managed care and other health care plans. The bill would clarify that the use of the terms "certified registered nurse practitioner," "registered nurse practitioner," "certified nurse practitioner" and "nurse practitioner" in any other act would be deemed to include a person licensed as a certified nurse practitioner under this act. The State Board of Nursing, the Department of Health, the Department of Human Services and other affected agencies would be authorized to promulgate any regulations necessary to carry out the act. [Passed: 44-4.](#)

[Senate Bill 314](#) (Baker) would create the Pennsylvania Rural Health Redesign Center Authority Act to promote access to high-quality health care in rural communities by encouraging innovation in health care delivery. The legislation would establish the Pennsylvania Rural Health Redesign Center Authority to be governed by a board as outlined in the legislation. Among other duties, the board would:

- Apply for, solicit, receive, allocate, disburse, administer and expend money in the Pennsylvania Rural Health Design Center Fund established in the bill, or other money available to the Authority from both public and private sources;
- Apply for, accept and administer grants and loans;
- Take, hold, administer, invest and dispose of property or money of the Authority; and

- Collaborate with state agencies, seek waivers from state agency requirements, and coordinate with agencies to seek waivers from federal requirements.

Board members would be prohibited from receiving confidential information related to an entity where a conflict of interest exists. Individuals employed by the Authority board would not be employees of the Commonwealth for any purpose, including for purposes of compensation, pension benefits or retirement. The Authority would be barred from pledging the credit or taxing power of the Commonwealth, and from acquiring rural hospitals or participant rural hospitals.

The board would be responsible for the administration of the global budget model. The “global budget model” would be defined as “an innovative payment and service delivery model that is intended to reduce health care costs while maintaining access to care, improving the quality of care in rural counties and meeting the health needs of participant rural hospitals’ local communities and under which participating payers pay participant rural hospitals using a global budget methodology established by the authority.” Additionally, the board would:

- Evaluate and select rural hospitals for participation in the model;
- Provide technical assistance, training and education to participant rural hospitals;
- Collect and maintain data;
- Review rural hospital transformation plans consistent with federal and state law; and
- Assist hospitals to determine targeted population health improvement goals.

Payers (insurers, government programs, etc.) and rural hospitals would submit letters of interest to the Authority to participate in the global budget model. As a condition of participation, a participant payer would have to sign an agreement with the Authority. As a condition of participation, a participant rural hospital would be required to submit an initial transformation plan, sign an agreement with the Authority, and submit annual updates to its transformation plan.

The accounts and books of the Authority would have to be audited annually by an independent certified public accounting firm. A copy of the audit would be filed with the Secretary of the Senate and the Chief Clerk of the House by December 31 of each year. The financial statement and the Authority’s audit would be submitted annually to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin. The Authority would also be required to electronically submit annual reports on the performance and compliance of each participant rural hospital to the Department and other appropriate parties as determined by the board and annual reports on its activities to the Governor and the General Assembly. The legislation would establish the Pennsylvania Rural Health Design Center Fund as a separate fund in the State Treasury to be administered by the Authority. Money deposited in the Fund would

be held for the purposes of the Authority and would not be considered a part of the General Fund. **Passed: 50-0.**

Senate Bill 593 (Laughlin) would designate:

- The bridge on the portion of Interstate 79 northbound over West 16th Street in the City of Erie as the Thomas J. Kennedy, Jr., Memorial Bridge; and
- The bridge located on State Route 4011 over Pine Creek, Hegins Township, Schuylkill County as the A. Donald Buffington Memorial Bridge. **Passed: 50-0.**

Senate Bill 633 (Costa) would create the Public Health Emergency Act to authorize the Governor, on the recommendation of the Secretary of Health, to declare a public health emergency, as defined in the legislation, by disseminating the declaration promptly by means calculated to bring it to the attention of the general public. The declaration would also have to be filed with the Legislative Reference Bureau for publication and with the director of the Pennsylvania Emergency Management Agency (PEMA). Within 72 hours of receipt of a declaration, the director of PEMA would have to convene the emergency council to perform its duties. The Department of Health would be authorized to suspend departmental regulations and to promulgate temporary regulations to address the public health emergency. The Secretary could authorize appropriately trained, licensed or certified public health workers to dispense, administer, furnish or otherwise provide prophylaxis or treatment for a reportable disease or condition as necessary to prevent and control the spread of disease. The declaration would be valid for a period of up to 90 days unless extended by affirmative approval of a majority of both houses of the General Assembly. Good Samaritan civil immunity provisions would apply to any person who provides assistance in carrying out the provisions of the act. The prohibition on the carrying of a firearm on the public streets or on any public property during an emergency would not apply. **Passed: 50-0.**

Senate Bill 698 (Gordner) would amend the Medical Practice Act of 1985 to allow for the use of a delegate for the submission of forms to the State Board of Medicine. The legislation would allow for a delegate of a primary supervising physician and a physician assistant to submit to the board the written agreement between the physician and the assisting physician assistant. The measure would also add definitions of “primary supervising physician” and “substitute supervising physician” to the law. **Passed: 50-0.**

Senate Bill 699 (Gordner) would amend the Osteopathic Medical Practice Act to allow for the use of a delegate for the submission of forms to the State Board of Osteopathic Medicine. The legislation would allow for a delegate of a primary supervising physician and a physician assistant to submit to the board the written agreement between the physician and the assisting physician assistant. The measure would also add definitions of “primary supervising physician” and “substitute supervising physician” to the law. **Passed: 50-0.**

Senate Bill 700 (Browne) would amend the Public School Code to modify the Construction and Reconstruction of Buildings by School Entities Program (PlanCon) and establish a grant program for school entity maintenance projects. The bill outlines the process a school would have to

follow to be eligible to receive reimbursement from the Commonwealth for costs of a project, beginning with an application. The bill also outlines the process the Department of Education would be required to follow to approve a school entity's application. Unless the Secretary of Education grants an exception, the Department could not approve the following for school construction reimbursement: 1) an addition to or renovation of an existing school building where a previous reimbursable construction project occurred within 20 years prior to the current application; and 2) renovation of an existing school building if the cost of the addition or renovation is less than 20 percent of the replacement value of the entire building. The Department would be required to develop an internet-based application for schools to use when applying for reimbursement and to maintain all submitted information in an electronic record available to the applicant. The Secretary would have to recognize certain high-performance building standards as delineated in the bill. A reimbursement enhancement of 10 percent above the amount calculated for reimbursement would be authorized for a school that utilizes an approved high-performance building standard for a project.

The Department would also be required to establish a grant program and application process for maintenance projects for schools. Grants would be required to have a 50 percent local match, except in emergency cases. Grant awards for maintenance projects would be limited to \$1,000,000 and funding for the program would come from a set-aside equal to 25 percent of the annual appropriation for school building projects. The Department would be required to transmit grant award information to the General Assembly annually. The department would be tasked with developing guidelines for schools to voluntarily report information related to school building safety, inventory and condition. The Department would have to post completed building condition assessments on its website. Any school that completes a building condition assessment would receive a two percent increase above the amount calculated for reimbursement. The Department would reimburse schools with approved applications based on certain calculations in the bill. The maximum reimbursement would be 65 percent of the project's structural cost. Payments to schools would be in equal installments over 20 years. The bill applies to projects for which approval and reimbursement is sought after the effective date. **Passed: 49-1.**

Senate Bill 712 (Argall) would amend the Fiscal Code to extend the authority of the State Treasurer to invest funds in accordance with the prudent person investment standard until 2024. **Passed: 50-0.**

Senate Resolution 159 (Regan) designates June 12, 2019 as "National Guard Day" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 160 (Scavello) recognizes the month of June 2019 as "Amateur Radio Month" and the week of June 16 through 22, 2019 as "Amateur Radio Week" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 161 (Aument) recognizes June 27, 2019 as "Post-Traumatic Stress Injury Awareness Day" and the month of June 2019 as "Post-Traumatic Stress Injury Awareness Month" in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 162](#) (DiSanto) designates June 15, 2019 as “Elder Abuse Awareness Day” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 163](#) (Tartaglione) designates the week of June 10 through 17, 2019 as “Disability Pride Week” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 164](#) (Pittman) honors the life and achievements of Brian Henry Swatt and expresses condolences on his passing. **Adopted by Voice Vote.**

[Senate Resolution 165](#) (Mensch) recognizes the 244th anniversary of the founding of the United States Army. **Adopted by Voice Vote.**

[Senate Resolution 166](#) (Tomlinson) designates (June 15, 2019 as “LRRP of Company I, (Rangers), 75th Infantry Division Day” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 167](#) (Mastriano) recognizes June 14, 2019 as “National Flag Day” in Pennsylvania. **Adopted by Voice Vote.**

[House Bill 619](#) (Helm) would designate June 19 as “Juneteenth National Freedom Day” in Pennsylvania. Nothing in the act could be construed as requiring an employer to treat June 19 as a legal or official holiday or to provide paid leave to an employee on June 19 solely by virtue of the date being designated under this act. **Passed: 50-0.**

(2019-057)